

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SAMSUNG ELECTRONICS CO., LTD.
AND SAMSUNG SEMICONDUCTOR,
INC.,

Plaintiffs,

v.

NETLIST, INC.,

Defendant.

NETLIST, INC.,

Counterclaim-Plaintiff,

v.

GOOGLE LLC, ALPHABET INC.,
SAMSUNG ELECTRONICS CO., LTD.
AND SAMSUNG SEMICONDUCTOR,
INC.,

Counterclaim-Defendants.

C.A. No. 21-1453 (RGA) (JLH)

**DECLARATION OF DUNCAN TATE IN SUPPORT OF
REDACTIONS TO EXHIBIT 2 TO D.I. 141**

I, Duncan Tate, declare:

1. I am a hardware engineer at Google LLC. I have personal knowledge of the facts set forth herein and could competently testify to them if called as a witness.

2. I make this declaration in support of Google's requested redaction of Exhibit 2 to Counter-Plaintiff Netlist, Inc.'s Opposition to Google LLC and Alphabet Inc.'s Motion for Leave to File Reply in Response to Netlist, Inc.'s Opposition to Samsung Electric Co. Ltd. and Samsung Semiconductor, Inc.'s Motion to Stay (D.I. 141).

3. Exhibit 2 is a document that was produced by Google and designated as Highly Confidential – Attorneys’ Eyes Only under the Protective Order in this case. Exhibit 2 bears Bates number GNLP-DEL-00007732-749.

4. I am the author of Exhibit 2. Exhibit 2 is a design specification for a proposed Google DDR4 RDIMM Memory Module. This document reflects functionality, placement, and routing requirements for the Google DDR4 RDIMM memory module.

5. Google would experience significant harm if this document were released. This document reflects Google’s technical product specifications and testing requirements for hardware components it uses in its network. Google shares this document with its suppliers that develop, for example, DDR4 RDIMM Memory Modules for Google. These specifications include the use of certain hardware components in Google’s network and products, including where these components are placed, details on how Google tests these components and in what environment those tests are conducted, and specific schematics and detailed block diagrams of these components.

6. As this information is shared with Google’s suppliers, it also reflects confidential information related to how Google conducts business with third party suppliers as it relates to the purchase of hardware components, such as DDR4 RDIMM Memory Modules. Further, while Google does not currently develop its own DDR4 RDIMM Memory Modules, Google uses the requirements set forth in this document in the development of other products. Thus, disclosure of this information would impact Google’s business interests with respect to potential future partners, who are not privy to Google’s current process and requirements for DDR4 RDIMM Memory Modules. Google would be harmed, for example, if a competitor used this information to have a supplier build a DDR4 RDIMM Memory Module with these specifications. Further,

this document is subject to a non-disclosure agreement between Google and its suppliers. Ex. 2
at 2.

I declare under penalty of perjury that the foregoing is true and correct to the best of my
knowledge and belief.

Date: July 11, 2023

/s/ *Duncan Tate*

Duncan Tate